

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD C. SPRUEL JR.,

Plaintiff,

v.

HAROLD CLARKE *et al.*,

Defendants.

Case No. C06-5021RJB

ORDER CALLING FOR A
RESPONSE

This action, brought pursuant to 42 U.S.C. 2000, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Before the court is defendant's motion for reconsideration of the order extending discovery and re-noting a motion to dismiss at the Fed. R., Civ. P. 12 (c) stage (Dkt. # 49). The court is considering granting the motion to the extent that the dispositive motion date and date for filing the Joint Status Report may be moved to a later date.

Local Civil Rule 7 (h) (3) states that no request for reconsideration will be granted without giving the opposing party the opportunity to file a response. It is therefore Ordered:

(1) Plaintiff may file a response to the motion for reconsideration on or before January 12,

1 2007.

2 (2) The defendants motion for reconsideration is re-noted for January 12, 2007.

3 The clerk's office is directed to send copies of this order to plaintiff and counsel for
4 defendants. The Clerk's office should re-note (Dkt. # 42) for January 12, 2007.

5
6 DATED this 7, day of December, 2006.

7
8 /S/ J. Kelley Arnold

9 J. Kelley Arnold

United States Magistrate Judge